

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**PHILIP BURNAMAN, INDIVIDUALLY &
AS ADMINISTRATOR OF CHARLES
BURNAMAN, DECEASED, AND ON BEHALF
OF ALL WRONGFUL DEATH BENEFICIARIES
OF CHARLES BURNAMAN, DECEASED**

PLAINTIFF

V.

CIVIL ACTION NO. 3:12-CV-001-HTW-LRA

COUNTRY BROOK LIVING CENTER, et al

DEFENDANTS

ORDER OF DISMISSAL

Before this court are defendants' motion to dismiss [docket nos. 30], motion for a status conference [docket no. 32], and motion to continue [docket no. 33]. Plaintiff has failed to respond to any of these motions.

On March 29, 2013, this court noticed a hearing on these motions, set for April 9, 2013, at 2:30 p.m. Defendants' counsel appeared in this court at the appointed time for the hearing. Plaintiff did not show up for the hearing, and did not notify the court of a reason for his absence.

On April 12, 2013, this court entered an order for the plaintiff to show cause as to why he has failed to respond to this court's orders and to prosecute this case. In that order, this court directed the plaintiff to respond by April 26, 2013, or face dismissal of his lawsuit. The plaintiff has not responded.

This court, therefore, dismisses this lawsuit.

SO ORDERED AND ADJUDGED, this, the 20th of May, 2013.

s/ HENRY T. WINGATE
UNITED STATES DISTRICT JUDGE